

U.S. EXPRESS MAILING LABEL NO.: EV 235 026 825 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application: Class: Subclass:
Prior Application: Examiner: J.P. LACYK Art Unit: 3736

Mail Stop PATENT APPLICATION (CONTINUATION)

Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313-1450



Dear Sir:

This is in request for a: ☒ continuation application
☐ divisional application

pursuant to 37 C.F.R. §1.53, of pending prior application Serial No. 10/271,270, filed October 15, 2002, for the invention entitled "RADIOACTIVE SEED WITH MULTIPLE MARKERS AND METHOD FOR USING SAME" by inventor L. MICHAEL CUTRER.

1. ☒ Enclosed are a specification, formal drawings, and a copy of the declaration and assignment from the prior application. No new matter has been added:
2. ☒ Preliminary Amendment
3. ☒ The filing fee is calculated below:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code
Basic Filing Fee				\$750/\$375	\$770	101/201
Total Effective Claims	4	minus 20 =	*0	x \$18/\$9 =	+ 0	103/203
Independent Claims	2	minus 3 =	*0	x \$86/\$43 =	+ 0	102/202
*If answer is zero or less, enter "0"						
If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				+ \$290/\$145	+ 0	104/204
TOTAL FILING FEE =					\$770	
If "non-English" box 2 is X'd, add Rule 17(k) processing fee				+ \$130	+ 0	139
If "assignment" box 8 is X'd, add recording fee				+ \$40	+ 0	581
<input type="checkbox"/> Attached is a Petition under Rule No.				+ \$130	+ 0	122
TOTAL FEE =					\$770	

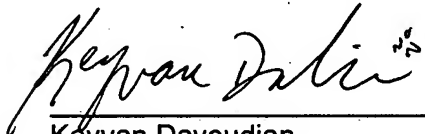
4. ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 16-1805.
5. ☒ A check in the amount of \$770 is enclosed.

6. ☒ Related Application Data: Please amend the specification by inserting before the first line:

-- This is a continuation of application serial No. 10/271,270, filed October 15, 2002, now U.S. Patent No. 6,638,207, which is a divisional of application serial No. 09/280,097, filed March 29, 1999, now U.S. Patent No. 6,503,186, which is a continuation-in-part of application serial No. 08/904,695, filed August 1, 1997, now abandoned.--

7. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application.
8. ☐ Priority of patent application No. filed in on is claimed under 35 U.S.C. §119. Certified copies of the priority applications were filed in prior application Serial No. on
9. ☒ The prior application is assigned of record to: North American Scientific, Inc..
10. ☒ The power of attorney appears in the prior application.
11. ☐ The statement of Small Entity Status filed in the prior application is still proper.
12. ☒ Address all future communications to: Roger R. Wise
PILLSBURY WINTHROP LLP
725 South Figueroa Street, Suite 2800
Los Angeles, California 90017-5406

Respectfully submitted,


Keyvan Davoudian
Reg. No. 47,520

Dated: October 23, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re continuation application of:

L. MICHAEL CUTRER

Serial No.: UNASSIGNED

Filed: OCTOBER 23, 2003

For: RADIOACTIVE SEED WITH MULTIPLE MARKERS
AND METHOD FOR USING SAME

Group-No.: UNKNOWN

Examiner: UNKNOWN

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EV 235 026 825 US

Date of Deposit: October 23, 2003

Box PATENT APPLICATION (CONTINUATION)

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

☒ Letter of transmittal

☒ Check in the amount of \$ 770 as filing fee.

☒ Copy of original patent application (25 pages of specification; 29 claims; 1 page of abstract), drawings, Declaration and Power of Attorney and Assignment of prior application

☒ 7 sheet(s) of formal drawings

☒ Preliminary Amendment

☒ Information Disclosure Statement with Form PTO-1449 and 13 references

☒ Copies of Office Actions dated 3/16/00 and 8/16/00, and a Rule 116 Amendment mailed 5/25/01, all in Application Serial No. 09/280,097

☒ Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and are addressed to:

Commissioner for Patents

P. O. Box 1450

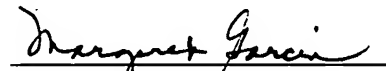
Alexandria, VA 22313-1450

October 23, 2003

Date of Deposit

Margaret Garcia

Name of person mailing papers



Signature